

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. 11-CR-331 MMC

Plaintiff,

**ORDER DIRECTING GOVERNMENT TO  
SERVE DEFENDANT WITH MOTION;  
SETTING DEADLINE FOR  
DEFENDANT'S RESPONSE**

v.

PETE AGAPITO CHAVEZ,

Defendant.

Before the court is the government's "Motion for an Extension of Time," filed January 2, 2015, by which the government requests the deadline for the filing of its response to Pete Agapito Chavez's ("Chavez") application for relief pursuant to 28 U.S.C. § 2255 be extended from January 16, 2015 to February 19, 2015. No proof of service has been filed, nor has the government shown the motion is appropriate for ex parte determination.

Accordingly,

1. The government is hereby DIRECTED to file, no later than January 7, 2015, the requisite proof of service. See Crim. L.R. 47-2(a).

2. In light of the upcoming deadline as currently set, Chavez's opposition thereto, if any, shall be filed no later than January 13, 2015.

**IT IS SO ORDERED.**

Dated: January 5, 2015

  
MAXINE M. CHESNEY  
United States District Judge

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